

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

JESSICA JONES, MICHELLE VELOTTA,
and **CHRISTINA LORENZEN** on Behalf of
Themselves and All Others Similarly Situated,

Plaintiffs,

v.

**VARSITY BRANDS, LLC; VARSITY
SPIRIT, LLC; VARSITY SPIRIT FASHION
& SUPPLIES, LLC; U.S. ALL STAR
FEDERATION, INC.; JEFF WEBB;
CHARLESBANK CAPITAL PARTNERS
LLC; and BAIN CAPITAL PRIVATE
EQUITY,**

Defendants.

Case No. 2:20-cv-02892-SHL-cgc

**JOINT MOTION FOR AN ORDER
EXTENDING DEADLINES FOR
DISPUTES REGARDING REQUESTS
FOR PRODUCTION TO DEFENDANT
VARSITY**

JURY DEMAND

Plaintiffs Jessica Jones, Michelle Velotta, and Christina Lorenzen (“Plaintiffs”) and Defendants Varsity Brands, LLC; Varsity Spirit, LLC; Varsity Spirit Fashion & Supplies, LLC, (collectively with Varsity Brands, LLC; Varsity Spirit, LLC, “Varsity”), U.S. All Star Federation, Inc. (“USASF”); Jeff Webb; Charlesbank Capital Partners LLC; and Bain Capital Private Equity (collectively, “Defendants”; together with Plaintiffs, “the Parties”) jointly move this Court, pursuant to Fed. R. Civ. P. 16(b)(4), for the entry of an amended scheduling order extending the deadline for the Parties to submit any disputes regarding the production of documents to July 30, 2021.

Plaintiffs served their First Requests for Production of Documents on all Defendants except Jeff Webb on March 26, 2021. Plaintiffs served amended Requests for Production on Varsity on March 29, 2021. Plaintiffs served their First Requests for Production on Jeff Webb on April 8, 2021.

On April 26, 2021, all Defendants except Jeff Webb served their Responses to Plaintiffs' First Requests for Production. On May 10, 2021, Mr. Webb served his Responses.

On May 11, 2021, the Plaintiffs and Varsity met and conferred regarding Varsity's responses. Plaintiffs and Varsity have continued to meet and confer in the intervening time. On June 9, 2021, Plaintiffs began the meet and confer process with the remaining Defendants. Plaintiffs have met and conferred with all Defendants. These consultations are ongoing.

The Parties have made substantial progress in negotiations regarding Defendants' production of documents, but outstanding issues remain that the Parties believe may be susceptible to reasonable accommodation if the Parties have sufficient time to continue their discussions and work toward resolution.

Under the Court's April 7, 2021 Scheduling Order (ECF No. 61), the current deadline for motion practice relating to production of documents is June 24, 2021 (90 days after service of Plaintiffs' First Requests for Production) for USASF, Charlesbank, and Bain; June 28, 2021, for Varsity; and July 7, 2021, for Jeff Webb.

The Parties have agreed that an extension of the deadline to submit disputes to the Court regarding the production of documents until July 30, 2021 would give the Parties sufficient time to resolve many of their remaining disputes and maximize judicial efficiency by minimizing the disputes the Parties will need to ask the Court to resolve.

The Sixth Circuit has explained that "[t]he primary measure of Rule 16's 'good cause' standard is the moving party's diligence in attempting to meet the case management order's requirements." *Bank of Am., N.A. v. Corporex Realty & Investment Corp.*, 661 F. App'x 305, 317 (6th Cir. 2016) (quoting *Inge v. Rock Fin. Corp.*, 281 F.3d 613, 625 (6th Cir. 2002)). Here, the Parties are moving jointly and have diligently negotiated the scope of productions in response to the first Requests for Production as per the Scheduling Order in an effort to come to agreement.

The Parties believe that extending the deadlines for submission of document production disputes to July 30, 2021 will allow them to complete their meet and confers, reach agreements

in all areas where compromise is possible, and then file motions where disputes remain. The Parties agree that all other deadlines set by the Court will remain the same.

Accordingly, the Parties respectfully request that the Court issue an order extending the deadline to submit disputes to the Court regarding Defendants' production of documents to July 30, 2021.

Dated: June 17, 2021

By: /s/ Joseph R. Saveri
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CERTIFICATE OF SERVICE

I hereby certify that on June 17, 2021, I served a copy of the foregoing document via the Court's ECF system, effecting service on all interested parties.

/s/ Joseph R. Saveri

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